

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re: AE Liquidation, Inc., et al.	:	Chapter 7
	:	Bankruptcy Case No. 08-13031 (MFW)
Debtors.	:	Adv. No. 10-55543 (MFW)
	:	BAP No. 17-17
PRUDENTIAL REAL ESTATE & RELOCATION SERVICES,	:	
	:	
Appellants,	:	
	:	
v.	:	C. A. No. 16-252-LPS
	:	
JEOFFREY BURTCH,	:	
	:	
Appellee.	:	

RECOMMENDATION

At Wilmington this **31st** day of **May, 2016**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, after review of the parties joint letter regarding mediation, a teleconference was held on May 25, 2016 for review and discussion with counsel to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process. The parties have engaged in three unsuccessful mediation, occurring on February 16, 2012 and March 1, 2013, and a mediation with this judge on

September 30, 2014.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), these matters be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties have advised there will be no objections filed to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1.

The parties request that the following briefing schedule be entered:

Appellants' Opening Brief	August 31, 2016
Appellee's Answering Brief	September 30, 2016
Appellants' Reply Brief	October 17, 2016

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE